

IN RE: PETITION FOR SPECIAL HEARING
SE/Corner Cuba Road and
Western Run Road
(2640 East Cuba Road)
8th Election District
3rd Councilmanic District

Estate of Harry A. Love
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-153-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 2640 East Cuba Road, located in the vicinity of Western Run Road in Cockeysville. The Petition was filed by the owners of the property, the Estate of Harry A. Love, by Patrick J. B. Donnelly, Esquire, representative. The Petitioners seek approval of the non-density transfer of 18.406 acres, more or less, from the Estate of Harry A. Love to the property of Henry M. Blue and Elizabeth P. Blue. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Bruce Doak, a representative of Gerhold, Cross & Etzel, who prepared the site plan for this property, Alexandra McMahan, a representative of the Valleys Planning Council (VPC), and Mr. Kenneth Bosley, both of whom attended as interested citizens.

Testimony and evidence offered revealed that the Estate of Harry A. Love (Deceased) owned a large tract of land containing 129.497 acres, more or less, located at the southeast corner of Western Run Road and Cuba Road. The property was recently downzoned to be entirely R.C.2, however, that change will not become effective until December 5, 1996, the date the

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

new zoning maps take effect. The Petitioners are in the process of selling off its holdings, having sold 111 acres to a Mr. Bank. Mr. Bank's property will have two density units associated with it as of December 5, 1996. The property which is the subject of this request consists of 18.406 acres, more or less, zoned R.C.2 and R.C.4, and is located in the northeastern corner of the tract, adjacent to a 20.02 acre-parcel owned by Henry M. and Elizabeth P. Blue. Mr. & Mrs. Blue have two density units associated with their property; however, their property is used for agricultural purposes only. Testimony indicated that Mr. & Mrs. Blue wish to add the 18.406 acre parcel to their holdings to expand their agricultural use and that the proposed transfer will not result in any increase in the number of density units associated with their property.

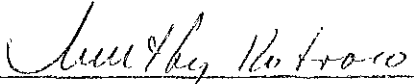
After due consideration of the testimony and evidence presented, it appears that the relief requested in the special hearing should be granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of November 1996 that the Petition for Special Hearing seeking approval of the non-density transfer of 18.406 acres, more or less, from the Estate of Harry A. Love to the property of

Henry M. Blue and Elizabeth P. Blue, in accordance with Petitioner's Exhibit 1, he and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the restrictions and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Zoning Commissioner for inclusion in the case file.
- 3) As noted herein, the 111-acre parcel previously purchased by a Mr. Bank has two density units associated with it; thus, the 18.406 acre parcel which is the subject of this request has no density associated with it and is being transferred for non-density purposes. Furthermore, Mr. & Mrs. Blue already have two density units associated with the 20.02 acres of land they presently own. Upon completion of this non-density transfer, Mr. & Mrs. Henry Blue will still have only two density units associated with their holdings.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 11/29/96
BY [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 12, 1996

Patrick J. B. Donnelly, Esquire
111 South Calvert Street, Suite 1400
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
SE/Corner Cuba Road and Western Run Road
(2640 East Cuba Road)
8th Election District - 3rd Councilmanic District
Estate of Harry A. Love - Petitioners
Case No. 97-153-SPH

Dear Mr. Donnelly:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Bruce Doak, Gerhold, Cross & Etzel
320 E. Towsontown Blvd., Suite 100, Towson, Md. 21286

Ms. Alexandra McMahan, Valleys Planning Council
212 Washington Avenue, Towson, Md. 21286

People's Counsel

File

RECEIVED



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2640 EAST CUBA ROAD
which is presently zoned RC2 & RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE NON-DENSITY TRANSFER OF A 18.406 ACRES ± PORTION OF THE
THE PROPERTY OF THE ESTATE OF HARRY A. LOVE TO THE PROPERTY
OF HENRY M. BLUE AND ELIZABETH P. BLUE FOR AGRICULTURAL
USE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): ESTATE OF HARRY A. LOVE (DECEASED)

% NILES, BARTON & WILMER

(Type or Print Name)

ATTN: PATRICK J. B. DONNELLY

X Patrick J. B. Donnelly (REPRESENTATIVE)

Signature

X PATRICK J. B. DONNELLY

(Type or Print Name)

Signature

SUITE 1400

111 SOUTH CALVERT STREET (410) 783-6357

Address

Phone No.

BALTIMORE MD 21202

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

GERHOLD, CROSS & ETZEL, LTD.

ATTN: BRUCE DOAK

Name

SUITE 100

320 E. TOWSONTOWN BLVD 823-4470

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.T. DATE 10-2-96

ITEM #155

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED



GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

September 19, 1996

Zoning Description for 2640 East Cuba Road

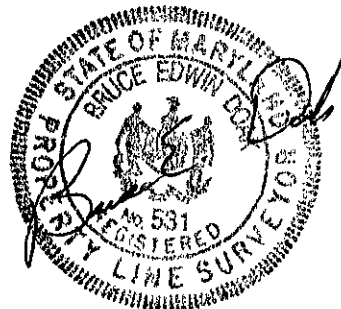
Beginning at a point at the intersection of Western Run Road and Cuba Road thence running from said point of beginning along the centerline of Western Run Road the three following bearings and distances viz: South 89 degrees 39 minutes 54 seconds East 934.98 feet, South 89 degrees 57 minutes 13 seconds East 900.10 feet, North 89 degrees 46 minutes 02 seconds East 407.94 feet, thence leaving said road and running the five following bearings and distances viz: South 01 degrees 40 minutes 13 seconds East 1727.73 feet, South 05 degrees 32 minutes 40 seconds East 706.96 feet, South 03 degrees 29 minutes 18 seconds East 507.10 feet, South 86 degrees 23 minutes 32 seconds West 1338.85 feet, South 86 degrees 23 minutes 32 seconds West 44.90 feet to a point on or near the centerline of Cuba Road, thence on or near Cuba Road the seven following bearings and distances viz: North 42 degrees 06 minutes 00 seconds West 121.60 feet, North 45 degrees 36 minutes 00 seconds West 299.00 feet, North 34 degrees 36 minutes 00 seconds West 193.90 feet, North 58 degrees 03 minutes 08 seconds West 54.61 feet, North 04 degrees 03 minutes 19 seconds West 247.62 feet, North 05 degrees 04 minutes 30 seconds West 742.47 feet, North 17 degrees 03 minutes 18 seconds East 1625.41 feet, to the place of beginning.

Containing 5,640,883 square feet or 129.497 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of Baltimore County Office of Zoning.

love.zde

MICROFILMED



ITEM #155

ALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 026590

DATE 10-2-96 ACCOUNT R-001-6150

AMOUNT \$ 250.00

RECEIVED FROM: GERALD, CORREY ET AL (Spec. Hearing)

2640 EAST CLUB RD.

FOR: 040-SPECIAL HEARING (NEW-DEPOSIT TRANSFER)

ITEM # 155

02691 HUSBANDSHIP

4/27/97

R.T.

02691 HUSBANDSHIP

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

MICROFILMED

CERTIFICATE OF POSTING

RE: Case No.: 97-153 SPH

Petitioner/Developer: ESTATE OF HARRY LOVE
PATRICK J. B. DONNELLY, ESQ., ETAL

Date of Hearing/Closing: NOVEMBER 6, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at S.E.C. CUBA ROAD AND
WESTERN RUN ROAD

The sign(s) were posted on OCTOBER 21, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, SR 10/23/96
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

666-5366

(Telephone Number)

ZONING NOTICE

C...: 97-153 SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

7:00 PM, CHAIRMAN'S OFFICE
10/23/96
SPECIAL HEARING
TO APPROVE A NON-
DENSITY TRANSFER

MICROFILM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirement for advertising is satisfied. However, the petitioner is responsible for the costs associated with this requirement.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) The cost of the sign will be accessed and paid to this office at the time of filing.
- 2) If this petition is filed by a professional, you will be required to post the sign and this office will telephone you when the sign is ready to be picked up.
- 3) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

TO BE TELEPHONED WHEN SIGN IS READY:

BRUCE DOAK GERHOLD CROSS & ETZEL, LTD.
Name Company

823-4470
Phone Number

For newspaper advertising:

Item No.: 156

Petitioner: ☒ Patrick J. B. Donnelly Attorney for the Estate of Harry A. Love

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ☒ Patrick J. B. Donnelly

ADDRESS: ☒ 111 South CALVERT STREET
Baltimore, Md. 21202

PHONE NUMBER: ☒ 410-783-6357

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Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: *Special Hearing for a non-density
transfer.*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 11, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-153-SPH (Item 155)
2640 E. Cuba Road
SEC Cuba Road and Western Run Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Estate of Harry A. Love

Special Hearing to approve a non-density transfer.

HEARING: WEDNESDAY, NOVEMBER 6, 1996 at 9:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Patrick J. B. Donnelly, Esq.
Gerhold, Cross & Etzel, LTD.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN MUST POSTED ON THE PROPERTY BY OCTOBER 22, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

(MICROFILMED)





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. Patrick J. B. Donnelly
111 S. Calvert Street, Suite 1400
Baltimore, MD 21202

RE: Item No.: 155
Case No.: 97-153-SPH
Petitioner: Patrick Donnelly

Dear Mr. Donnelly:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 2, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

11/14/96



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
October 15, 1996

FROM: R. Bruce Seeley ADS/JP
DEPRM

SUBJECT: Zoning Item #155 - Love Property
2640 E. Cuba Road
Zoning Advisory Committee Meeting of October 15, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

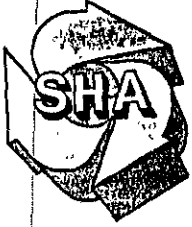
Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

RBS:VK:sp

LOVE/DEPRM/TXTSBP

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 155 (R.T.)

10. 24. 91

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

John Alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 25, 1996

FROM: *Pub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 21, 1996
Item Nos. 151, 153, 154, 155, 156,
158, 159, and 160

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 15, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 144 and 155

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Dan L. Kerns

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154,
155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



PETITION PROBLEMS

#149 --- JRF

1. Where is undersized lot information?

#155 --- RT

1. No wording for the special hearing request on form.
2. Need authorization for Patrick to sign for Estate of Harry Love.

#157 --- JLL

1. No review information on bottom of variance form.

#159 --- CAM

1. No review information on bottom of variance form.

10/7/96

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
2640 E. Cuba Road, SEC Cuba Road and	*	ZONING COMMISSIONER
Western Run Road, 8th Election District,	*	OF BALTIMORE COUNTY
3rd Councilmanic	*	CASE NO. 97-153-SPH
Estate of Harry A. Love		
Petitioner		

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd., 320 E. Towsontowne Blvd., Suite 100, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

NILES, BARTON & WILMER

ATTORNEYS AT LAW

1400 LEGG MASON TOWER

111 S. CALVERT STREET

BALTIMORE, MARYLAND 21202-6185

TELEPHONE 410-783-6300

FACSIMILE 410-783-6363

WASHINGTON, D. C. 20006

1818 H STREET, N. W.
202-737-0512

CABLE ADDRESS NILWO
TELEX 87 469-NILES LAW

WRITER'S DIRECT NUMBER

(410) 783-6357

January 22, 1997

VIA TELEFAX #887-3468 & REGULAR MAIL

Mr. Timothy M. Kotrocco
Deputy Zoning Commissioner
of Baltimore County
Suite 112
Courthouse
Towson, MD 21204

Re: Case No. 97-153-SPH
Petition for Special Hearing for Property
on the Southeast Corner of Cuba & Western
Run Road - 8th Election District - 3rd
Councilmanic District - Estate of Harry A. Love

Dear Mr. Kotrocco:

Your office previously passed an Order permitting a non-density transfer of an 18 plus acre parcel of land owned by the estate of Harry A. Love to be conveyed to Richard and Elizabeth Blue.

The Order provided that the deed should be recorded within sixty (60) days of the Order.

The settlement on the transfer could not be completed prior to the sixty (60) day period and is scheduled to be closed and the deed recorded on Friday, January 31, 1997.

The purpose of this letter is to formally request an extension of your Order to accommodate the closing date of January 31, 1997, and we would respectfully request that you grant an extension until February 10, 1997, to take into account any possible contingency.

Many, many thanks for your consideration in this matter.

ENCLOSURE

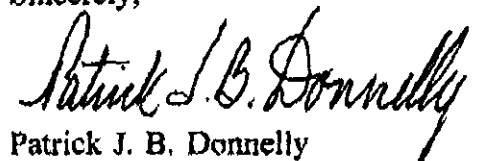
Mr. Timothy M. Kotrocco
January 22, 1997
Page 2

For your convenience I have provided a space at the bottom of this letter for your signature should you grant the requested extension.

If you have any questions whatsoever with respect to the matter, kindly have your secretary contact me and I will provide any information that you might require.

Respectfully yours.

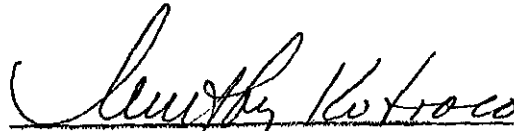
Sincerely,


Patrick J. B. Donnelly

PJBD/mlp

EXTENSION OF ORDER

THE REQUEST FOR AN EXTENSION OF THE SIXTY (60) DAY PERIOD TO RECORD AN EXTENSION OF TIME CONTAINED IN THE ORDER OF THE DEPUTY ZONING COMMISSIONER DATED OCTOBER 12, 1996, IN THE ABOVE-REFERENCED MATTER IS HEREBY GRANTED TO THE DATE OF FEBRUARY 10, 1997.


Timothy M. Kotrocco
Deputy Zoning Commissioner
of Baltimore County

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BRUCE E. DOAK - GERHOLD, CROSS & ETZEL 320 E TOWSONTOWN BLVD TOWSON MD 21286

Alexandra McMahon - Valley's Planning Council - 212 Washington Ave Towson 21285

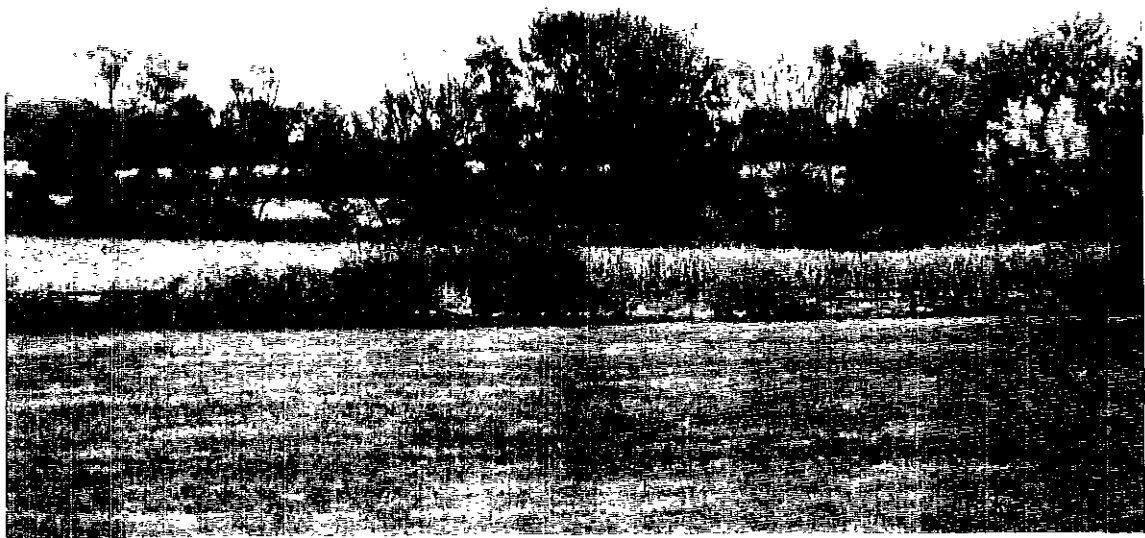
KENNETH T. BOSLEY Box 724, SPARKS, MD 21204



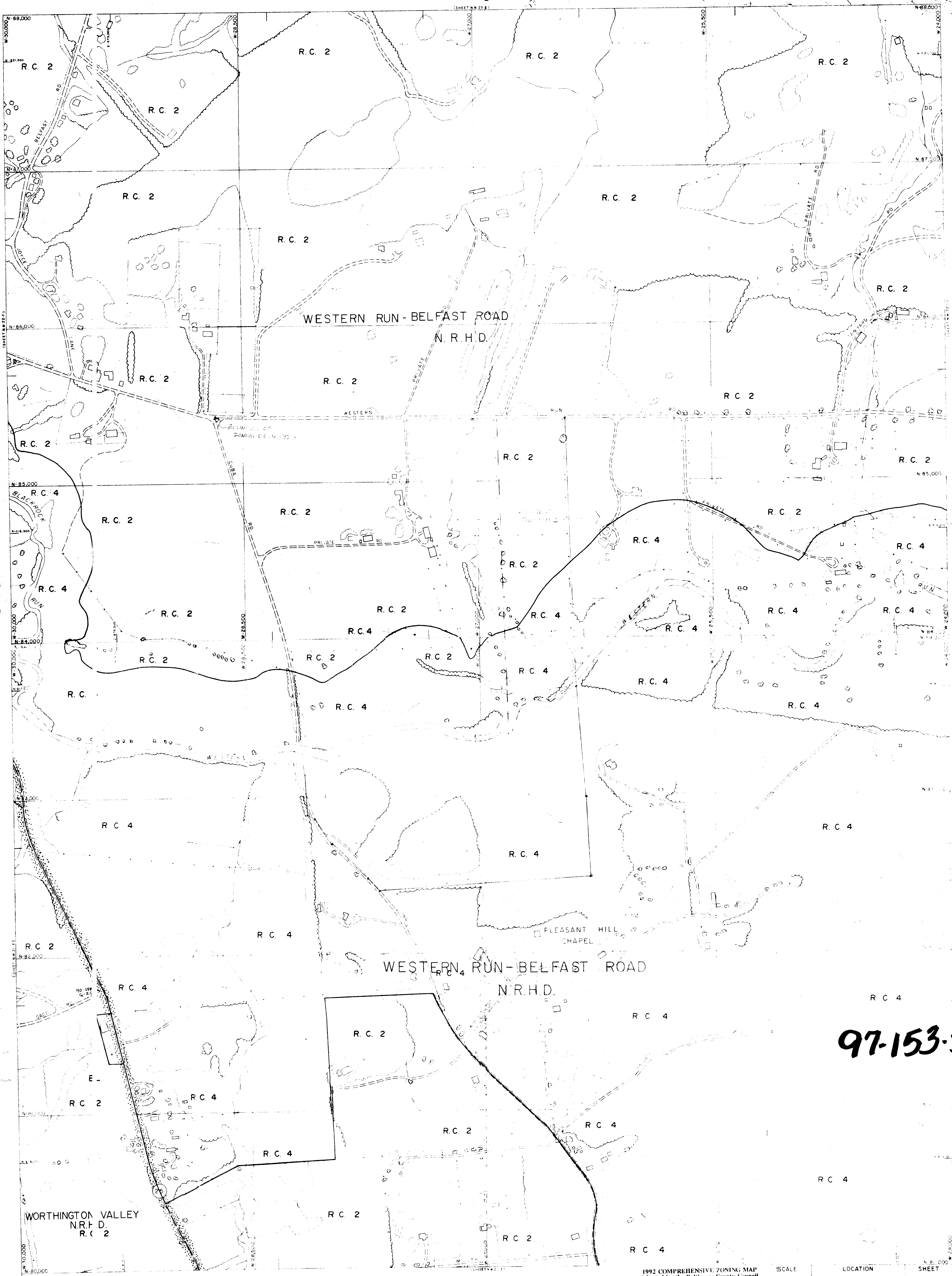
Petitioner's
Exhibit 2A -
2D

97-153-SPH

EXHIBIT 2A - 2D







97-153-SPH

DD - SW
V - NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

EMR Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED. SELECTED AREAS
TOPOGRAPHY COMPILED BY 1. OTODIOMETRIC METHODS
BY BUCHART HORN, INC. BAL. MORE, MD. 21210

William Howard
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

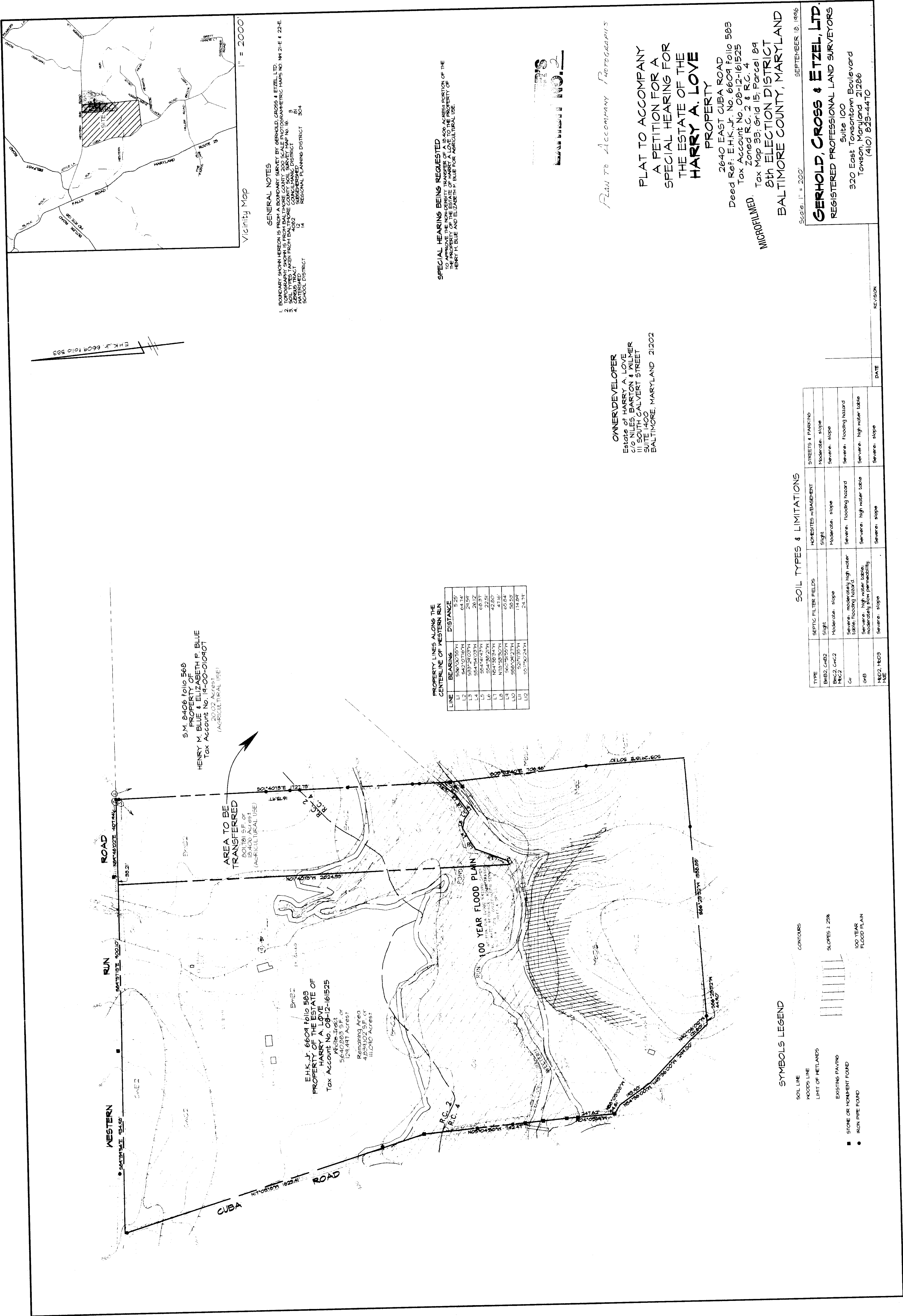
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

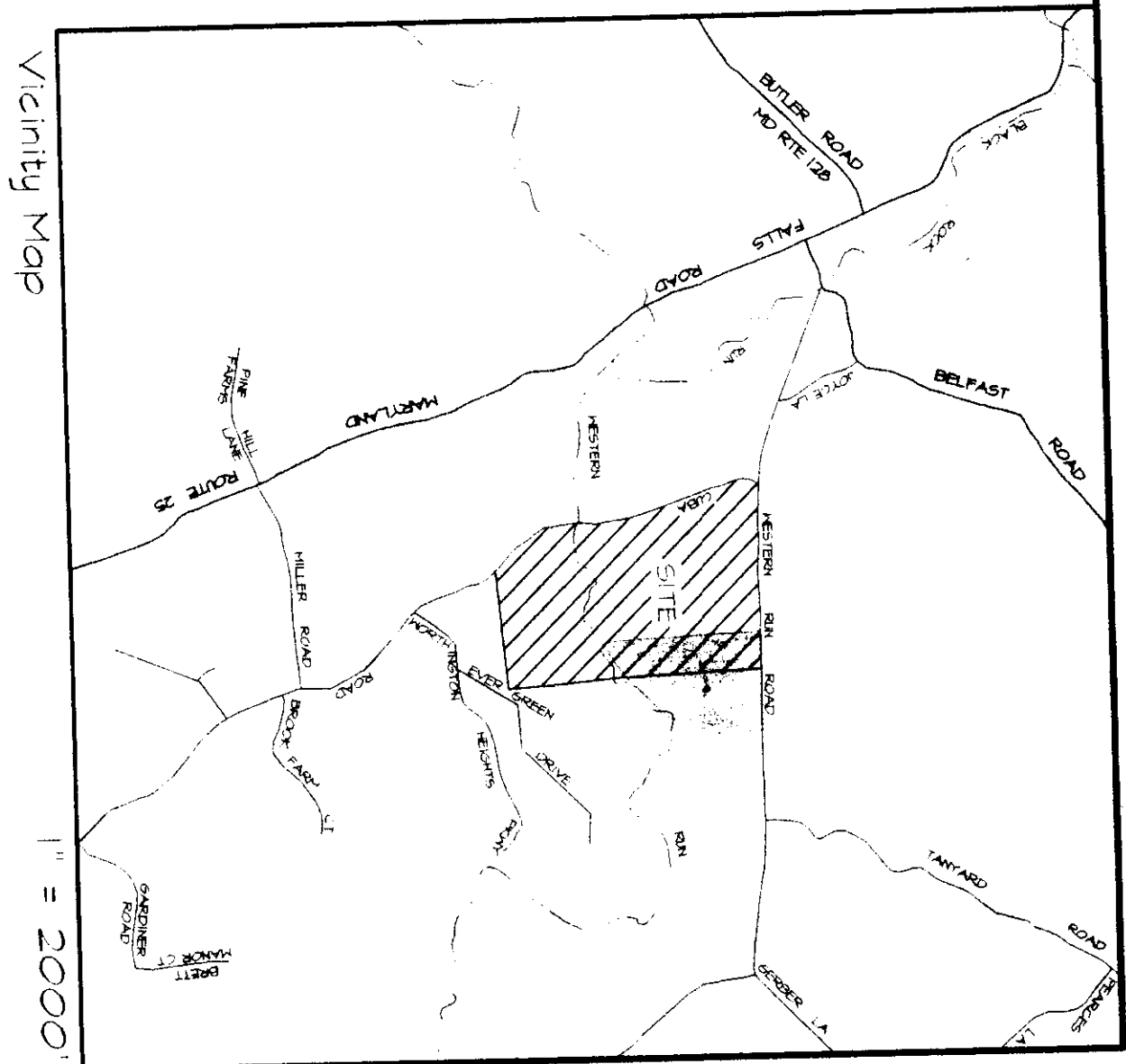
EMR Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92, 190-92

William Howard
Chairman, County Council

SCALE	LOCATION	SHEET
DATE OF PHOTOGRAPHY	PLEASANT HILL CHAPEL	N W
ITEM # 155		21-E

MICROFILMED





- GENERAL NOTES
1. BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
 2. COORDINATE SHOWN IS FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 3. SOIL TYPES TAKEN FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 4. MATERIALS TAKEN FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 5. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 6. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 7. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 8. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 9. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 10. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 11. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 12. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 13. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.
 14. REMOVED FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAPS NO. WM 21-E & 22-E.

SPECIAL HEARING BEING REQUESTED
TO APPROVE THE NON-DENSITY TRANSFER OF A 100 ACRES PORTION OF THE
PROPERTY OF THE ESTATE OF
HARRY A. LOVE
TO THE ESTATE OF
HARRY A. LOVE

99-153-SPH



PLAT TO ACCOMPANY
A PETITION FOR A
SPECIAL HEARING FOR
THE ESTATE OF THE
HARRY A. LOVE
PROPERTY

2640 EAST CUBA ROAD
Deed Ref: E.H.K., Jr. No. 6604 folio 583
Tax Account No. 08-12-161525
Zoned R.C. 2 & R.C. 4
Tax Map 33, Grid 15, Parcel 84
8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 200'

SEPTEMBER 18, 1946

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4410

PROPERTY LINES ALONG THE
CENTRAL LINE OF WESTERN RUN

LINE	BEARING	DISTANCE
L1	S36°00'55"N	64.14
L2	S40°00'10"E	24.21
L3	S57°00'10"E	28.12
L4	S54°44'33"W	68.37
L5	S54°44'33"W	22.50
L6	S54°39'21"W	4.11
L7	N04°39'34"E	4.11
L8	N04°39'34"E	68.34
L9	S60°15'53"W	58.54
L10	S50°04'27"W	114.54
L11	S21°11'35"W	24.74
L12	S57°02'24"W	24.74

OWNER/DEVELOPER
Estate of HARRY A. LOVE
c/o NILES BARON MILLER
311 SOUTH CALVERT STREET
BALTIMORE, MARYLAND 21202

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOUSESITE/IMPROVEMENT	STREETS & PARKING
BH22 CW2	Slight	Slight	Severe: slope
BH22 CW2	Moderate: slope	Moderate: slope	Severe: slope
CW	Severe: moderately high water table flooding hazard	Severe: flooding hazard	Severe: flooding hazard
CW	Severe: high water table	Severe: high water table	Severe: high water table
H222 H203	Severe: slope	Severe: slope	Severe: slope

- SYMBOLS LEGEND
- SOIL LINE
 - WOODS LINE
 - LIMIT OF WETLANDS
 - EXISTING PAVING
 - STONE OR MONUMENT FOUND
 - IRON PIPE FOUND
 - CONTOURS
 - SLOPES > 25%
 - 100 YEAR FLOOD PLAIN

IN RE: PETITION FOR SPECIAL HEARING
SE/Corner Cuba Road and
Western Run Road
(2640 East Cuba Road)
8th Election District
3rd Councilmanic District
Estate of Harry A. Love
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-153-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 2640 East Cuba Road, located in the vicinity of Western Run Road in Cockeysville. The Petition was filed by the owners of the property, the Estate of Harry A. Love, by Patrick J. B. Donnelly, Esquire, representative. The Petitioners seek approval of the non-density transfer of 18.406 acres, more or less, from the Estate of Harry A. Love to the property of Henry M. Blue and Elizabeth P. Blue. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Bruce Doak, a representative of Gerhold, Cross & Etzel, who prepared the site plan for this property, Alexandra McMahan, a representative of the Valleys Planning Council (VPC), and Mr. Kenneth Bosley, both of whom attended as interested citizens.

Testimony and evidence offered revealed that the Estate of Harry A. Love (Deceased) owned a large tract of land containing 129.497 acres, more or less, located at the southeast corner of Western Run Road and Cuba Road. The property was recently downzoned to be entirely R.C.2, however, that change will not become effective until December 5, 1996, the date the

new zoning maps take effect. The Petitioners are in the process of selling off its holdings, having sold 111 acres to a Mr. Bank. Mr. Bank's property will have two density units associated with it as of December 5, 1996. The property which is the subject of this request consists of 18.406 acres, more or less, zoned R.C.2 and R.C.4, and is located in the northeastern corner of the tract, adjacent to a 20.02 acre-parcel owned by Henry M. and Elizabeth P. Blue. Mr. & Mrs. Blue have two density units associated with their property; however, their property is used for agricultural purposes only. Testimony indicated that Mr. & Mrs. Blue wish to add the 18.406 acre parcel to their holdings to expand their agricultural use and that the proposed transfer will not result in any increase in the number of density units associated with their property.

After due consideration of the testimony and evidence presented, it appears that the relief requested in the special hearing should be granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of November 1996 that the Petition for Special Hearing seeking approval of the non-density transfer of 18.406 acres, more or less, from the Estate of Harry A. Love to the property of

- 2 -

Henry M. Blue and Elizabeth P. Blue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the restrictions and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Zoning Commissioner for inclusion in the case file.
- 3) As noted herein, the 111-acre parcel previously purchased by a Mr. Bank has two density units associated with it; thus, the 18.406 acre parcel which is the subject of this request has no density associated with it and is being transferred for non-density purposes. Furthermore, Mr. & Mrs. Blue already have two density units associated with the 20.02 acres of land they presently own. Upon completion of this non-density transfer, Mr. & Mrs. Henry Blue will still have only two density units associated with their holdings.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/21/96
By [Signature]

- 3 -



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 12, 1996

Patrick J. B. Donnelly, Esquire
111 South Calvert Street, Suite 1400
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
SE/Corner Cuba Road and Western Run Road
(2640 East Cuba Road)
8th Election District - 3rd Councilmanic District
Estate of Harry A. Love - Petitioners
Case No. 97-153-SPH

Dear Mr. Donnelly:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Bruce Doak, Gerhold, Cross & Etzel
320 E. Towson Blvd., Suite 100, Towson, Md. 21286

Ms. Alexandra McMahan, Valleys Planning Council
212 Washington Avenue, Towson, Md. 21286

People's Counsel

File

Printed with Scantron Ink



Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at 2640 East Cuba Road which is presently zoned R.C.2 & R.C.4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The owner(s) of the property, shown in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE NON-DENSITY TRANSFER OF A 18.406 ACRES ± PORTION OF THE
THE PROPERTY OF THE ESTATE OF HARRY A. LOVE TO THE PROPERTY
OF HENRY M. BLUE AND ELIZABETH P. BLUE FOR AGRICULTURAL
USE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase Price:

(Type or Print Name)

Signature

Address

City

State

Zip Code

Accounting for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zip Code

When an attorney is retained and acts under the authority of a power of attorney, that law firm is the

attorney-in-fact for the property which is the subject of this Petition.

Legal Owner: ESTATE OF HARRY A. LOVE (Deceased)

96 MILES, BARTON & WILMER

ATTORNEY: PATRICK J. B. DONNELLY

X PATRICK J. B. DONNELLY (Representative)

X PATRICK J. B. DONNELLY

(Type or Print Name)

Signature

SUITE 1400

111 SOUTH CALVERT STREET (410) 783-6357

BALTIMORE, MD 21202

By: Address and phone number of legal counsel retained (attorney or representative)

GERHOLD, CROSS & ETZEL, LTD.

ATTN: BRUCE DOAK

SUITE 100

320 E. TOWSON BLVD. 823-7470

TOWSON, MD

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING: _____

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100

320 EAST TOWSONTOWN BOULEVARD

TOWSON, MARYLAND 21286-5218

410-823-4470

FAX 410-823-4473

September 19, 1996

Zoning Description for 2640 East Cuba Road

Beginning at a point at the intersection of Western Run Road and Cuba Road thence running from said point of beginning along the centerline of Western Run Road the three following bearings and distances viz: South 89 degrees 39 minutes 54 seconds East 934.98 feet, South 89 degrees 57 minutes 13 seconds East 900.10 feet, North 89 degrees 46 minutes 02 seconds East 407.94 feet, thence leaving said road and running the five following bearings and distances viz: South 01 degrees 40 minutes 13 seconds East 1727.73 feet, South 05 degrees 32 minutes 40 seconds East 706.96 feet, South 03 degrees 29 minutes 18 seconds East 507.10 feet, South 86 degrees 23 minutes 32 seconds West 1338.85 feet, South 86 degrees 23 minutes 32 seconds West 44.90 feet to a point on or near the centerline of Cuba Road, thence on or near Cuba Road the seven following bearings and distances viz: North 42 degrees 06 minutes 00 seconds West 121.60 feet, North 45 degrees 36 minutes 00 seconds West 299.00 feet, North 34 degrees 36 minutes 00 seconds West 193.90 feet, North 58 degrees 03 minutes 08 seconds West 54.61 feet, North 04 degrees 03 minutes 19 seconds West 247.62 feet, North 05 degrees 04 minutes 30 seconds West 742.47 feet, North 17 degrees 03 minutes 18 seconds East 1625.41 feet, to the place of beginning.

Containing 5,640,883 square feet or 129.497 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of Baltimore County Office of Zoning.



love.zde

ITEM #155

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 10-23-96 ACCOUNT R CCI-6UC

AMOUNT \$ 240.00

RECEIVED FROM GERHOLD, CROSS & ETZEL, LTD. (Sole Agent)

2640 EAST CUBA RD.

FOR SPECIAL HEARING (NON-DENSITY TRANSFER)

ITEM # 155

DATE 10-23-96

VALIDATION OR SIGNATURE OF CASHIER

DATE 10-23-96

CERTIFICATE OF POSTING

RE: Case No. 97-153 SPH

Petitioner/Developer: ESTATE OF HARRY LOVE
PATRICK J. B. DONNELLY, ESQ. ETAL

Date of Hearing/Closing: NOVEMBER 6, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at S.E.C. CUBA ROAD AND WESTERN RUN ROAD

The sign(s) were posted on OCTOBER 21, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe
(Signature of Sign Poster and Dafe)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

666-5366

(Telephone Number)

ZONING NOTICE

Case No. 97-153 SPH

DATE 10-23-96

FILED

111 WEST CHESAPEAKE AVENUE

TOWSON, MD 21204

410-887-4386

OFFICE OF PLANNING AND ZONING

BALTIMORE COUNTY

MD 21204

111 WEST CHESAPEAKE AVENUE

TOWSON, MD 21204

410-887-4386

OFFICE OF PLANNING AND ZONING

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BALTIMORE COUNTY

MD 21204

111 WEST CHESAPEAKE AVENUE

TOW



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirement for advertising is satisfied. However, the petitioner is responsible for the costs associated with this requirement.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) The cost of the sign will be assessed and paid to this office at the time of filing.
- 2) If this petition is filed by a professional, you will be required to post the sign and this office will telephone you when the sign is ready to be picked up.
- 3) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

TO BE TELEPHONED WHEN SIGN IS READY:

BRUCE DOAK GERHOLD CROSS & ETZEL, LTD. 823-7470
Name Company Phone Number

For newspaper advertising:

Item No.: 155
Petitioner: Patrick J. B. Donnelly Attorney for the Estate of Harry A. Love
PLEASE FORWARD ADVERTISING BILL TO:
NAME: X Patrick J. B. Donnelly
ADDRESS: X 111 South CALVERT STREET
Baltimore, Md. 21202
PHONE NUMBER: X 410-783-6357

Exhibit B

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No. _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

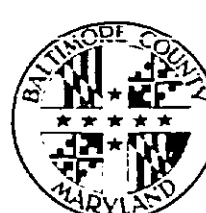
REQUEST: Special Hearing for a non-density transfer.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

906
post 4.doc

ITEM #155



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 11, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-153-SPH (Item 155)
2640 E. Cuba Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Estate of Harry A. Love

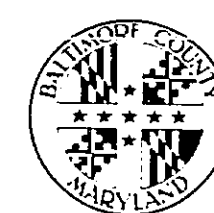
Special Hearing to approve a non-density transfer.

HEARING: WEDNESDAY, NOVEMBER 6, 1996 at 9:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Patrick J. B. Donnelly, Esq.
Gerhold, Cross & Etzel, LTD.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 22, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. Patrick J. B. Donnelly
111 S. Calvert Street, Suite 1400
Baltimore, MD 21202

RE: Item No.: 155
Case No.: 97-153-SPH
Petitioner: Patrick Donnelly

Dear Mr. Donnelly:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 2, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
October 15, 1996

FROM: R. Bruce Seeley AD/APP
DEPRM

SUBJECT: Zoning Item #155 - Love Property
2640 E. Cuba Road
Zoning Advisory Committee Meeting of October 15, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

RBS:VK:sp
LOVE/DEPRM/TXTSP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 155 (R.T.)
10-24-96

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. J. Small

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2283 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: October 25, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 21, 1996
Item Nos. 151, 153, 154, 155, 156,
158, 159, and 160

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE33

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management
DATE: October 15, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 144 and 155

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long
Division Chief: Gary L. Keres

PK/JL

ITEM144/PZONE/ZAC1

Baltimore County Government
Fire Department
700 East Joppa Road
Towson, MD 21286-5500
Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154, 155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

PETITION PROBLEMS

#149 --- JRF

1. Where is undersized lot information?

#155 --- RT

1. No wording for the special hearing request on form.
2. Need authorization for Patrick to sign for Estate of Harry Love.

#157 --- JLL

1. No review information on bottom of variance form.

#159 --- CAM

1. No review information on bottom of variance form.

10/7/96

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
2640 E. Cuba Road, SEC Cuba Road and * ZONING COMMISSIONER
Western Run Road, 8th Election District, *
3rd Councilmanic *
Estate of Harry A. Love * OF BALTIMORE COUNTY
Petitioner * CASE NO. 97-153-SPH
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd., 320 E. Townsontown Blvd., Suite 100, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

FILES, BARTON & WILMER

WASHINGTON, D. C. 20006
1400 LEGG MASON TOWER
1100 E. STREET, N.W.
200-797-0512
BALTIMORE, MARYLAND 21202-6185
TELEPHONE 410-783-6300
FACSIMILE 410-783-6383

CABLE ADDRESS: HUNO
TELEX: 87-469-PALECOM

WRITER'S DIRECT NUMBER
(410) 783-6357

January 22, 1997

VIA TELEFAX #887-3468 & REGULAR MAIL

Mr. Timothy M. Kotrocco
Deputy Zoning Commissioner
of Baltimore County
Suite 112
Courthouse
Towson, MD 21204

Re: Case No. 97-153-SPH
Petition for Special Hearing for Property
on the Southeast Corner of Cuba & Western
Run Road - 8th Election District - 3rd
Councilmanic District - Estate of Harry A. Love

Dear Mr. Kotrocco:

Your office previously passed an Order permitting a non-density transfer of an 18 plus acre parcel of land owned by the estate of Harry A. Love to be conveyed to Richard and Elizabeth Blue.

The Order provided that the deed should be recorded within sixty (60) days of the Order.

The settlement on the transfer could not be completed prior to the sixty (60) day period and is scheduled to be closed and the deed recorded on Friday, January 31, 1997.

The purpose of this letter is to formally request an extension of your Order to accommodate the closing date of January 31, 1997, and we would respectfully request that you grant an extension until February 10, 1997, to take into account any possible contingency.

Many, many thanks for your consideration in this matter.

Mr. Timothy M. Kotrocco
January 22, 1997
Page 2

For your convenience I have provided a space at the bottom of this letter for your signature should you grant the requested extension.

If you have any questions whatsoever with respect to the matter, kindly have your secretary contact me and I will provide any information that you might require.

Respectfully yours,

Sincerely,

Patrick J. B. Donnelly
Patrick J. B. Donnelly

PJBD/mlp

EXTENSION OF ORDER

THE REQUEST FOR AN EXTENSION OF THE SIXTY (60) DAY PERIOD TO RECORD AN EXTENSION OF TIME CONTAINED IN THE ORDER OF THE DEPUTY ZONING COMMISSIONER DATED OCTOBER 12, 1996, IN THE ABOVE-REFERENCED MATTER IS HEREBY GRANTED TO THE DATE OF FEBRUARY 10, 1997.

Timothy M. Kotrocco
Timothy M. Kotrocco
Deputy Zoning Commissioner
of Baltimore County

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

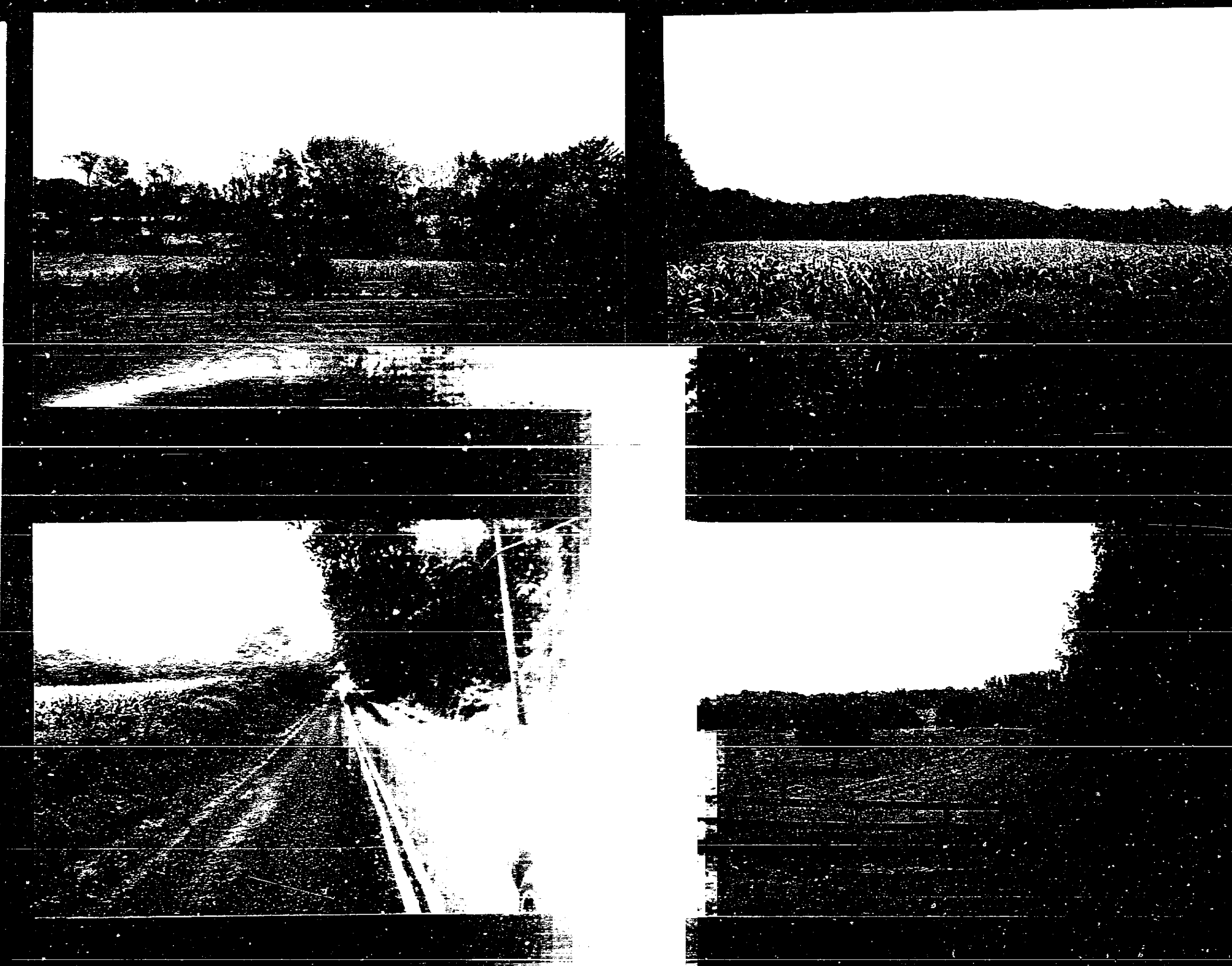
NAME

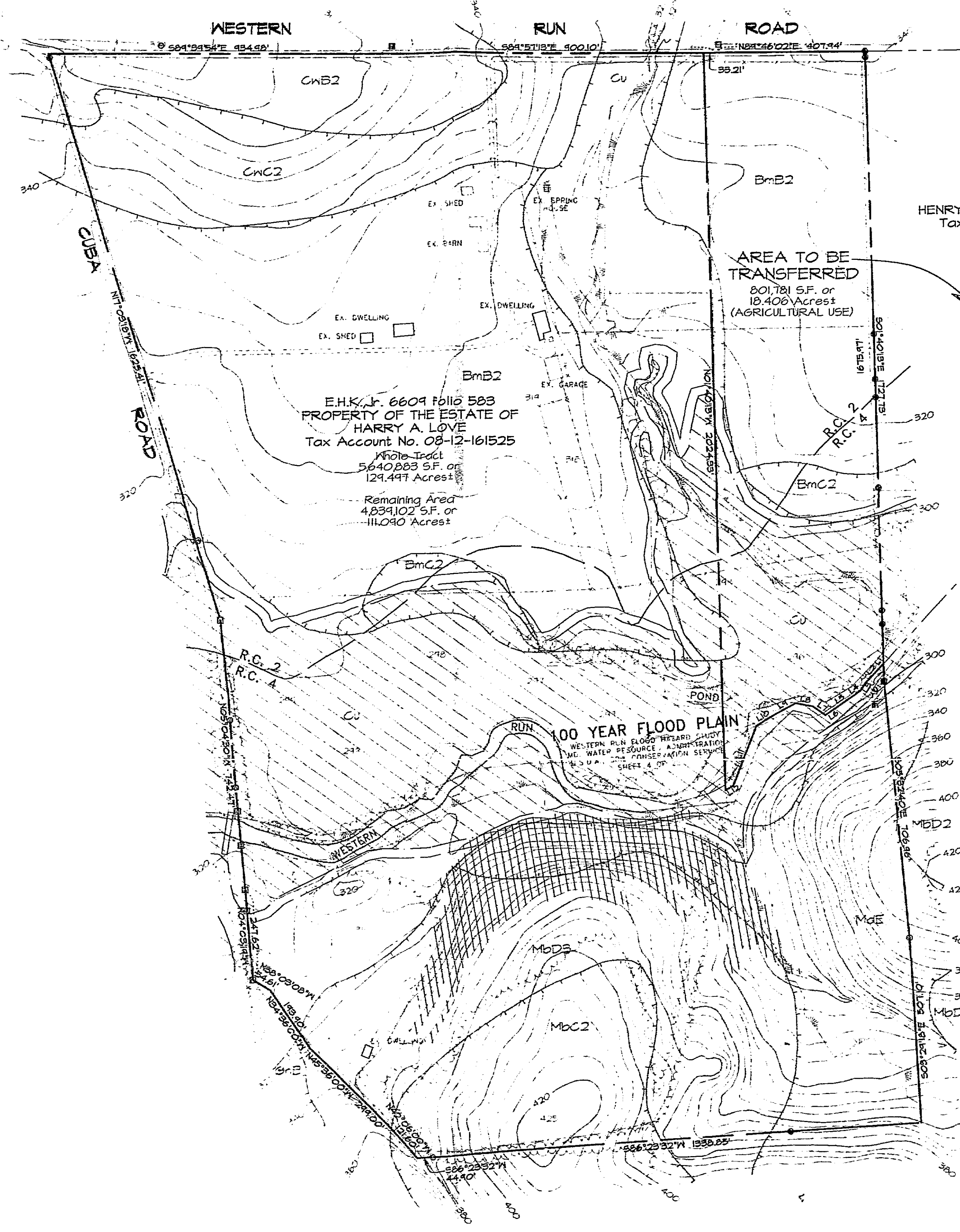
ADDRESS

BRUCE E. DANK - GERHOLD, CROSS & ETZEL 320 E. TOWNSONTOWN BLVD TOWSON MD 21286

Alexandra Mc Mahon - Valley Planning Council - 2124 Washington Ave Towson 21285
KENNETH T. BUSLEY BOX 724, SPARKS MD 21204

Printed with Soybean Ink
on Recycled Paper





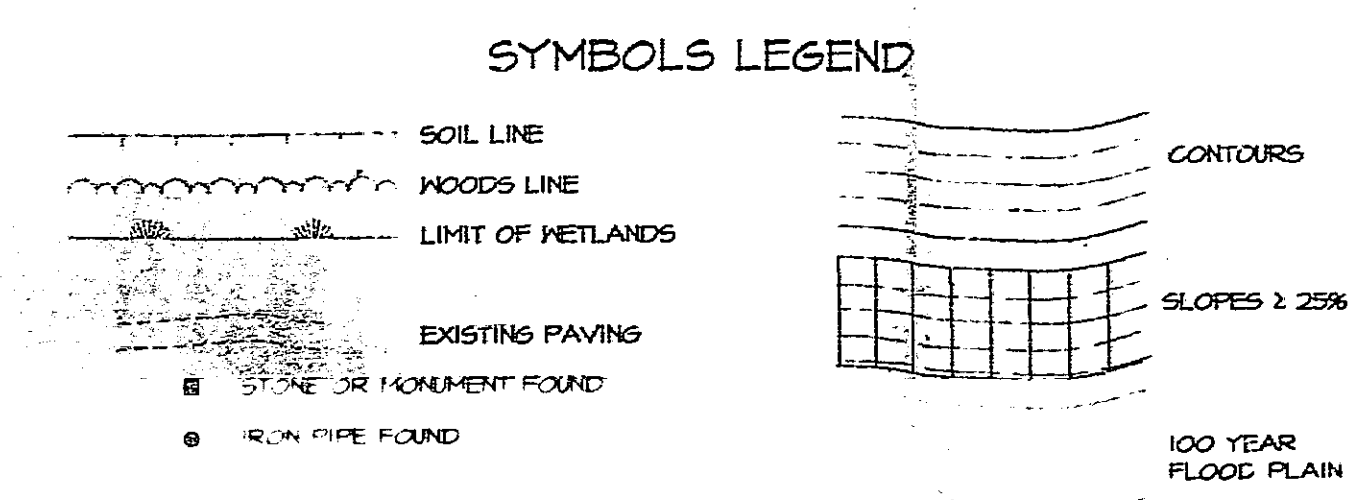
S.M. 2406 folio 568
PROPERTY OF
HENRY M. BLUE & ELIZABETH F. BLUE
Tax Account No. 19-00-010907
20.02 Acres
(AGRICULTURAL USE)

E.H.K., Jr. 6609 folio 583
PROPERTY OF THE ESTATE OF
HARRY A. LOVE
Tax Account No. 08-12-161525
5640,203 S.F. or
124.441 Acres
Remaining Area
4,834,102 S.F. or
112,040 Acres

AREA TO BE
TRANSFERRED
801,781 S.F. or
18.406 Acres
(AGRICULTURAL USE)

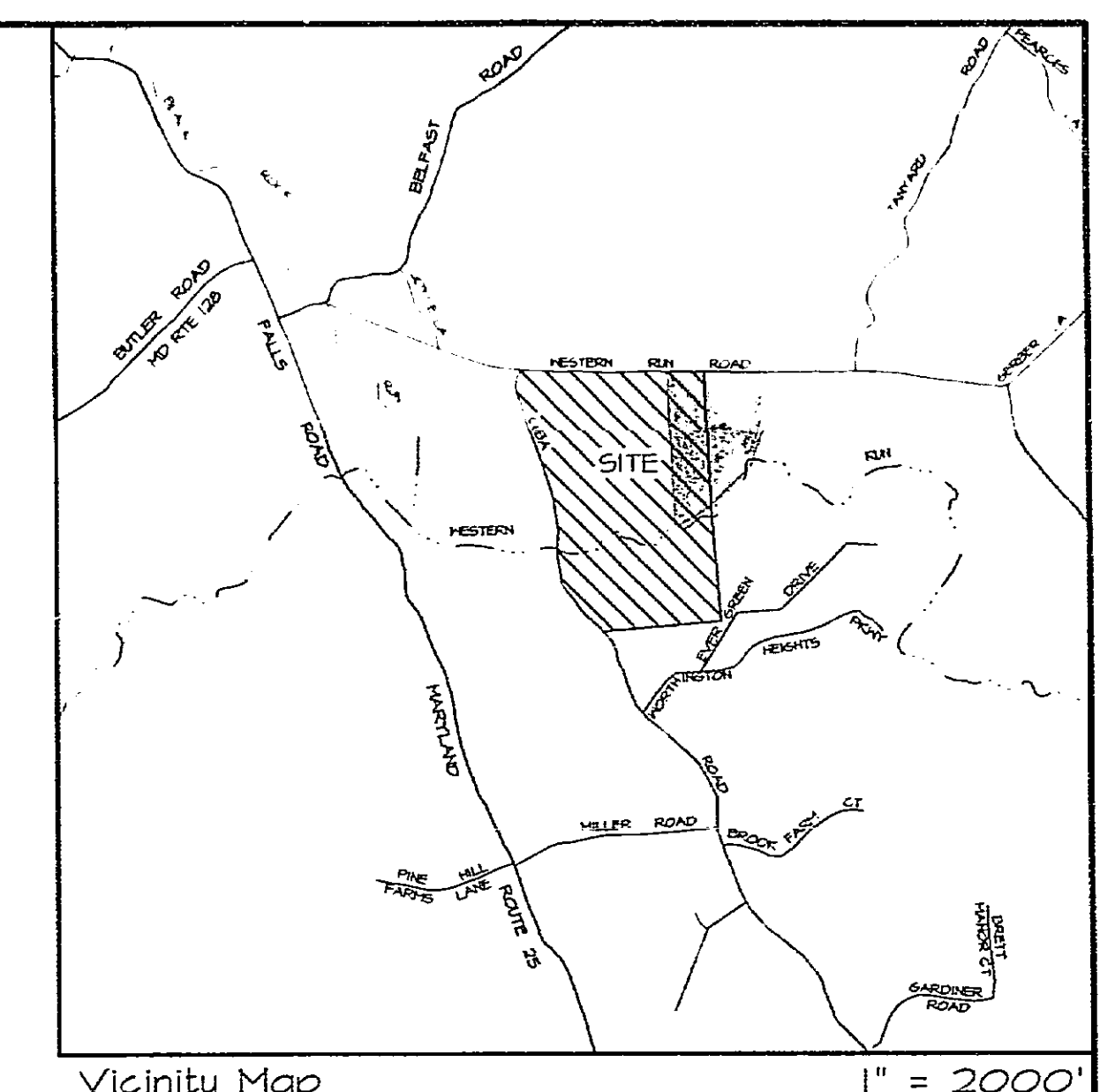
PROPERTY LINES ALONG THE
CENTERLINE OF WESTERN RUN

LINE	BEARING	DISTANCE
L1	S56°09'26"N	3.25'
L2	S42°0'16"W	64.14'
L3	S33°24'03"W	24.54'
L4	S54°54'03"W	26.12'
L5	S54°44'43"W	66.31'
L6	S54°36'21"W	22.50'
L7	N54°38'34"W	42.80'
L8	N78°53'50"W	41.60'
L9	S60°15'55"W	65.84'
L10	S58°10'21"W	50.55'
L11	S21°11'35"W	114.64'
L12	S57°50'24"W	24.78'



SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/ BASEMENT	STREETS & PARKING
BmB2, CnB2	Slight	Slight	Moderate slope
BmC2, CnC2	Moderate slope	Moderate slope	Severe slope
Cu	Severe, moderately high water table; flooding hazard	Severe flooding hazard	Severe flooding
CnB	Severe, high water table; moderately slow permeability	Severe high water table	Severe high water
MdB2, MdB3	Severe slope	Severe slope	Severe slope
MdB			



- GENERAL NOTES**
- BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
 - TOPOGRAPHY SHOWN IS FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAPS NO. N4 21-E & 22-E.
 - SOIL TYPES TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 16.
 - GROSS TRACT 4082 CONGRESSIONAL DISTRICT 8
 - WATERSHED 12 SUBWATERSHED 81
 - SCHOOL DISTRICT 14 REGIONAL PLANNING DISTRICT 504

SPECIAL HEARING BEING REQUESTED
TO APPROVE THE NON-DENSITY TRANSFER OF A 18.406 ACRES PORTION OF THE
PROPERTY OF THE ESTATE OF HARRY A. LOVE TO THE PROPERTY OF
HENRY M. BLUE & ELIZABETH F. BLUE FOR AGRICULTURAL USE

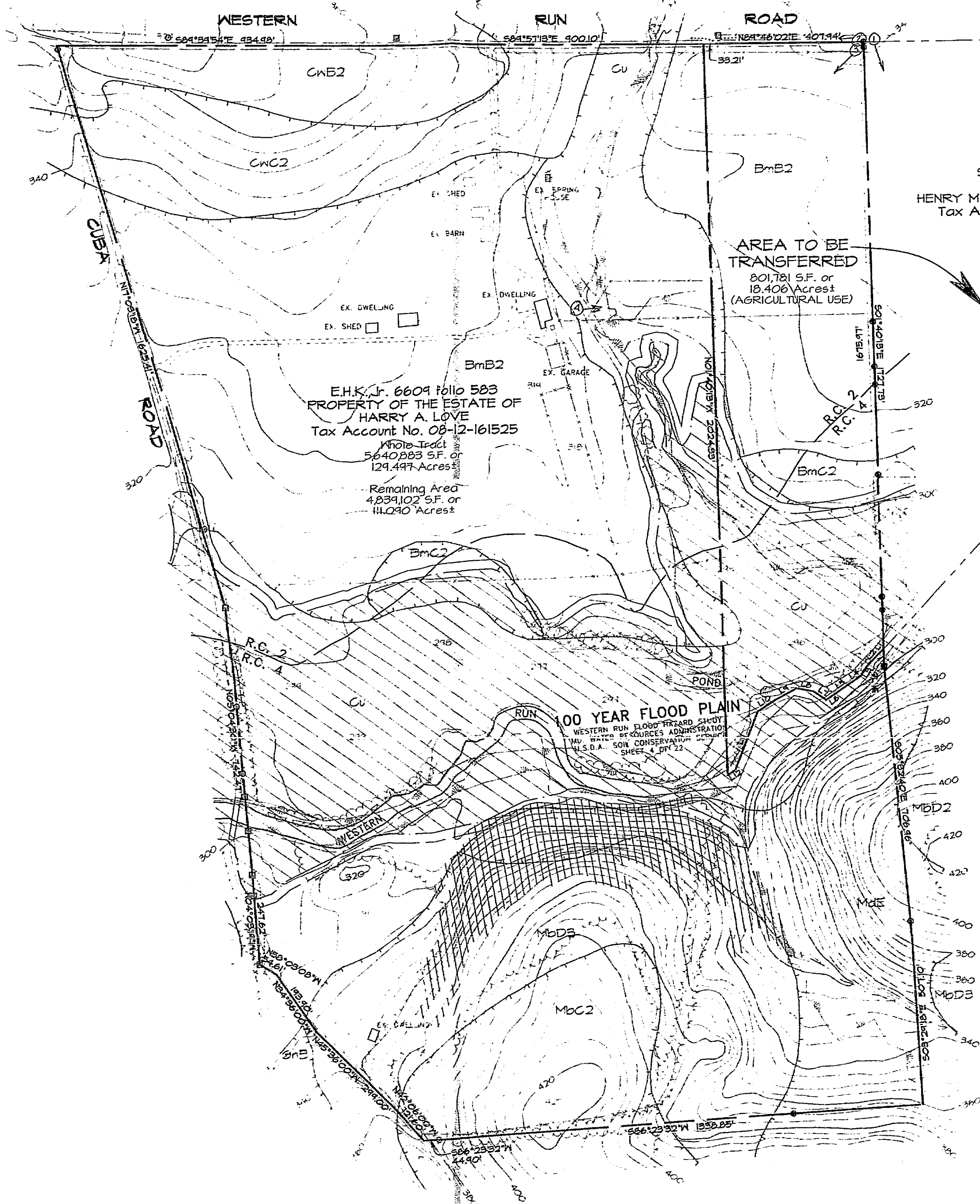
97-153-SPH

OWNER/DEVELOPER
Estate of HARRY A. LOVE
c/o NILES, BARTON & WILMER
111 SOUTH CALVERT STREET
SUITE 1400
BALTIMORE, MARYLAND 21202



**PLAT TO ACCOMPANY
A PETITION FOR A
SPECIAL HEARING FOR
THE ESTATE OF THE
HARRY A. LOVE
PROPERTY**
2640 EAST CUBA ROAD
Deed Ref: E.H.K., Jr. No. 6609 folio 583
Tax Account No. 08-12-161525
Zoned RC. 2 & RC. 4
Tax Map 33; Grid 15; Parcel 89
8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 200' SEPTEMBER 18, 1996
GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470



S.M. 8406 Folio 568
PROPERTY OF
HENRY M. BLUE & ELIZABETH P. BLUE
Tax Account No. 19-00-010907
20.02 Acres
(AGRICULTURAL USE)

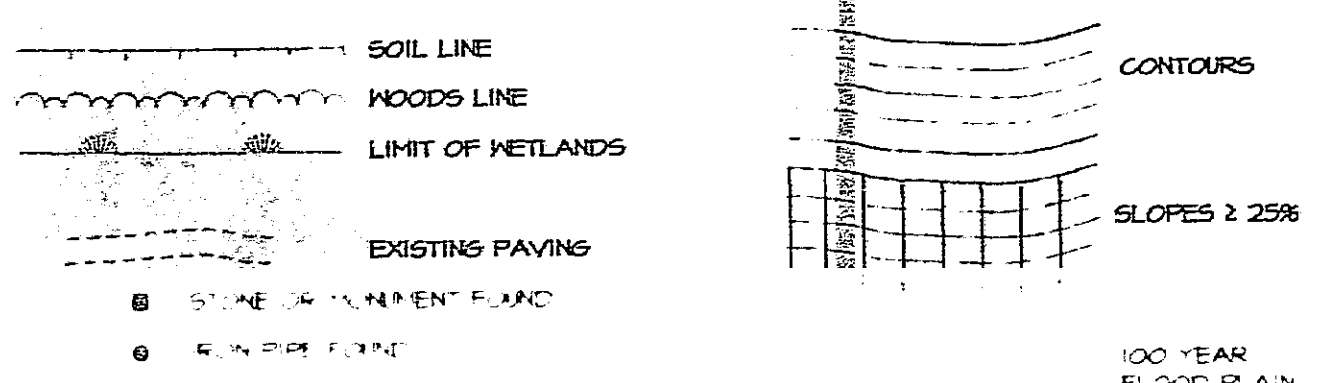
AREA TO BE
TRANSFERRED
801,181 S.F. or
18.406 Acres
(AGRICULTURAL USE)

E.H.K., Jr. 6609 Folio 583
PROPERTY OF THE ESTATE OF
HARRY A. LOVE
Tax Account No. 08-12-161525
Whole Parcel 3
564,083 S.F. or
12.9491 Acres
Remaining Area
4,331,102 S.F. or
100.040 Acres

PROPERTY LINES ALONG THE
CENTERLINE OF WESTERN RUN

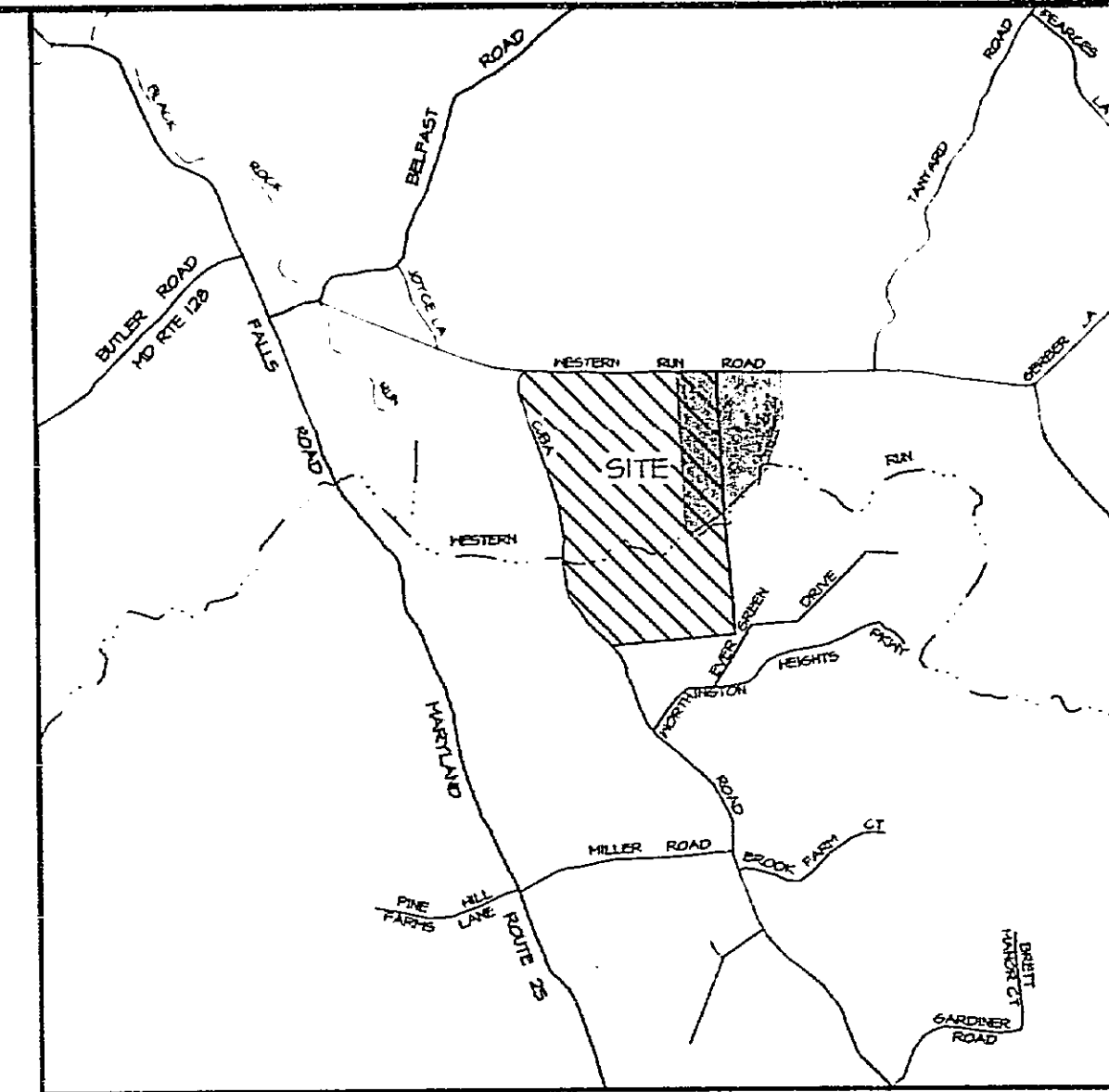
LINE	BEARING	DISTANCE
L1	S56°00'50"N	5.25'
L2	S42°01'10"N	64.14'
L3	S33°24'03"N	24.54'
L4	S54°54'03"N	26.12'
L5	S54°41'43"N	60.57'
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L7	N54°30'34"N	42.80'
L8	N78°53'50"N	47.16'
L9	S60°51'55"N	65.84'
L10	S58°04'21"N	58.53'
L11	S21°11'35"N	114.84'
L12	S57°50'24"N	24.74'

SYMBOLS LEGEND



SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/ BASEMENT	STREETS & PARKING
BmB2, CmB2	Slight	Slight	Moderate slope
BmC2, CmC2	Moderate slope	Moderate slope	Severe slope
MdB2, MdB3	Severe, moderate high water table, flooding hazard	Severe, flooding hazard	Severe, flooding hazard
MdB4	Severe, high water table, moderately slow permeability	Severe, high water table	Severe, high water table
MdB2, MdB3, MdB4	Severe slope	Severe slope	Severe slope



GENERAL NOTES

- BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
- TOPOGRAPHY SHOWN IS FROM BALTIMORE COUNTY 300 SCALE PHOTOGRAMMETRIC MAPS 102, 111, 21-E & 22-E.
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- WATERSHED 12 SUBCENSUS 81
- SCHOOL DISTRICT 14 REGIONAL PLANNING DISTRICT 304

SPECIAL HEARING BEING REQUESTED
TO APPROVE THE NON-DENSITY TRANSFER OF A 18.406 ACRES PORTION OF THE
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HENRY M. BLUE AND ELIZABETH P. BLUE FOR AGRICULTURAL USE

EXHIBIT NO. 2

PLAN TO ACCOMPANY PHOTOGRAPHS

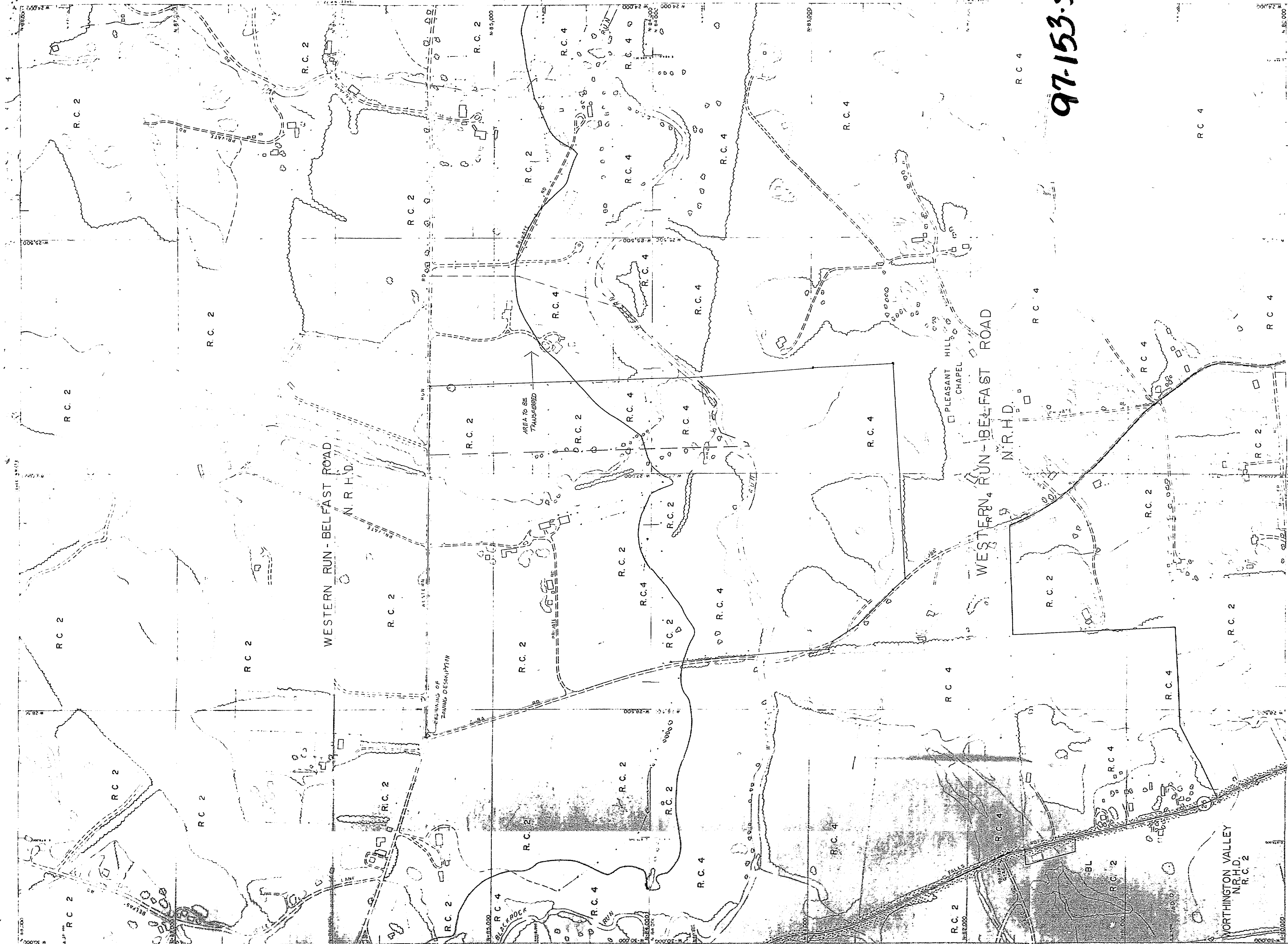
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(410) 823-4470

DATE REVISION



97-153-SPH

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
October 13, 1988
Revised by the Baltimore County Council
June 14, 1990

OP-SW
V-NW
This map has been revised in selected areas
topography compiled by photogrammetric methods
by the County of Baltimore, MD 21204

SCALE	LOCATION	SHEET
1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council October 15, 1992 Bill No. 03-22, 04-22, 05-22, 06-22, 07-22, 08-22, 09-22, 10-22, 11-22, 12-22, 13-22, 14-22, 15-22, 16-22, 17-22, 18-22, 19-22, 20-22, 21-22, 22-22, 23-22, 24-22, 25-22, 26-22, 27-22, 28-22, 29-22, 30-22, 31-22, 32-22, 33-22, 34-22, 35-22, 36-22, 37-22, 38-22, 39-22, 40-22, 41-22, 42-22, 43-22, 44-22, 45-22, 46-22, 47-22, 48-22, 49-22, 50-22, 51-22, 52-22, 53-22, 54-22, 55-22, 56-22, 57-22, 58-22, 59-22, 60-22, 61-22, 62-22, 63-22, 64-22, 65-22, 66-22, 67-22, 68-22, 69-22, 70-22, 71-22, 72-22, 73-22, 74-22, 75-22, 76-22, 77-22, 78-22, 79-22, 80-22, 81-22, 82-22, 83-22, 84-22, 85-22, 86-22, 87-22, 88-22, 89-22, 90-22, 91-22, 92-22, 93-22, 94-22, 95-22, 96-22, 97-22, 98-22, 99-22, 100-22	PLEASANT HILL CHAPEL	NW 21-E 1754-153

Edmund J. Howard
Chairman, County Council